

DISPOSITION: June 2, 1950. Joseph Lentini having entered a plea of guilty to counts 1 and 2, the court sentenced him to 1 year in jail on each count, with the sentences to run concurrently; however, the sentences were suspended, and the defendant was placed on probation. A plea of guilty having been entered on behalf of the Loumen Drug Co. to count 1, the court fined the corporation \$1,000.

16744. Adulteration and misbranding of oil. U. S. v. Gaspare Nardini (Vita Edible Oil Co.), and Loumen Drug Co. Pleas of guilty. Gaspare Nardini sentenced to 1 year in jail; sentence suspended and defendant placed on probation. Loumen Drug Co. fined \$1,000. (F. D. C. No. 26786. Sample No. 8030-K.)

INDICTMENT RETURNED: March 29, 1949, Eastern District of New York, against Gaspare Nardini, a partner in the partnership of the Vita Edible Oil Co., and against the Loumen Drug Co., a corporation, Brooklyn, N. Y.

VIOLATION CHARGED: On or about November 27, 1947, the defendants shipped and caused to be shipped from the State of New York into the State of Connecticut, a quantity of edible oil. In addition, the Loumen Drug Co. was charged with having delivered to the Vita Edible Oil Co., between the approximate dates of July 1947 and November 27, 1947, a substance known as "squalene," for the purpose of aiding, abetting, counseling, inducing, and procuring the interstate shipment of the adulterated and misbranded oil.

LABEL, IN PART: "Vita Bella Brand Oil 80% Selected Peanut Oil 20% Pure Olive Oil Packed and Distributed By Vita Edible Oil Co. Brooklyn, N. Y."

NATURE OF CHARGE: Count 1. Adulteration, Section 402 (b) (1), olive oil, a valuable constituent, had been in whole or in part omitted from the product; and, Section 402 (b) (4), artificial flavor and squalene had been added to the product and mixed and packed with it so as to make it appear to be better and of greater value, namely, a product containing more olive oil than was actually present.

Count 2. Misbranding, Section 403 (a), the label statements "80% Selected Peanut Oil" and "20% Pure Olive Oil" were false and misleading since the product did not contain 20 percent of pure olive oil; and, Section 403 (k), the product contained an artificial flavoring and did not bear labeling stating that fact.

DISPOSITION: June 2, 1950. Gaspare Nardini having entered a plea of guilty to counts 1 and 2, the court sentenced him to 1 year in jail on each count, with the sentences to run concurrently; however, the sentences were suspended, and the defendant was placed on probation. A plea of guilty having been entered on behalf of the Loumen Drug Co. to count 2, the court fined the corporation \$1,000.

16745. Adulteration and misbranding of oil. U. S. v. Frank Rinaldi and Anthony F. Rinaldi (Bella Donna Packing Co.), and Loumen Drug Co. Pleas of guilty. Frank Rinaldi and Anthony F. Rinaldi sentenced to 1 year in jail; sentences suspended and defendants placed on probation. Loumen Drug Co. fined \$1,000. (F. D. C. No. 26789. Sample No. 8134-K.)

INDICTMENT RETURNED: March 29, 1949, Eastern District of New York, against Frank Rinaldi and Anthony F. Rinaldi, partners in the Bella Donna Packing Co., a partnership, and the Loumen Drug Co., a corporation, Brooklyn, N. Y.